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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,079	05/04/2001	David Carroll Challener	RPS920010009US1	8138
7590	11/16/2004			EXAMINER
BRACEWELL & PATTERSON, L.L.P. Intellectual Property Law P.O. Box 969 Austin, TX 78767-0969			SIMITOSKI, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/849,079	CHALLENER ET AL.	
	Examiner	Art Unit	
	Michael J Simitoski	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 May 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-29 is/are rejected.
 7) Claim(s) 2,5,6,15,17 and 18 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 04 May 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/15/2001</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The IDS of 10/15/2001 was received and considered.
2. Claims 1-29 are pending.

Claim Objections

3. Claims 2, 5-6, 15 & 17-18 are objected to because of the following informalities:
 - a. Regarding claims 2 & 15, line 1, “are located” should be replaced with “is located”.
 - b. Regarding claims 5 & 18, “separately” is redundant; a suggested clarification is “the interposer means is located on a separate board ...”.
 - c. Regarding claims 6 & 8, “where the interposer means comprises: interposer means for routing ” is unclear; a suggested modification is “wherein the interposer means comprises: means for routing ...”.
 - d. Regarding claim 17, “separately” is redundant; a suggested clarification is “the interposer means and the security chip are located on a separate card ...”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 7-9, 14 & 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 7 recites the limitation "the user interface adapter" in line 2. There is insufficient antecedent basis for this limitation in the claim. *For the purposes of this Office Action, "the user interface adapter" is understood to reference "the interface adapter".*

7. Claim 8 recites the limitation "the user interface adapter" in line 3. There is insufficient antecedent basis for this limitation in the claim. *For the purposes of this Office Action, "the user interface adapter" is understood to reference "the interface adapter"*

8. Claims 9 & 19 recite the limitation "the user interface adapter" in lines 2 & 5. There is insufficient antecedent basis for this limitation in the claim. *For the purposes of this Office Action, "the user interface adapter" is understood to reference "the interface adapter".*

9. Claim 7 recites that "the user interface adapter connects the interposer means to the security chip", but the specification (Fig. 2, for example) discloses that the connector connects the interposer means to the security chip (Fig. 2, #48, #50 & #54) (see also page 8 of the specification, ¶2). *For the purposes of this Office Action, the above limitation is understood to read, "a connector connects the interposer means to the security chip".*

10. Claim 14 recites the limitation "the software applications" in line 6. There is insufficient antecedent basis for this limitation in the claim. *For the purposes of this Office Action, "the software applications" will be read "software applications".*

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1, 6-7, 10-11, 13-14, 20-21, 23-26 & 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,087,955 to Gray.

Regarding claims 1, 6, 10-11, 13-14, 20-21, 23-26 & 28-29 as best understood, Gray discloses a processor/CPU (Fig. 2, #40), machine readable storage media/memory (Fig. 2, #42) for storing programs performable by the processor, input means/keyboard for receiving input from a user (Fig. 2, #16), a display device/monitor (Fig. 2, #14) for providing visual output from software applications to the user, a system bus (Fig. 2, #44) connecting the processor/CPU to the display device/monitor and the input means/keyboard, an interface adapter (Fig. 2, #46) for transferring input from the user at the input means/keyboard to the system bus, a security chip/verification unit (Fig. 2, #20) requiring a personal identifier code from the user for performance of at least one of the programs in the storage media (Fig. 4, #S106 & #S116), a direct communication channel for transferring user input from the input means/keyboard to the security chip/verification unit (Fig. 4, #S104-S108) and interposer means/logical switch (Figs. 3A-3C, #65) for routing the personal identifier code/password over the direct communication channel to the security chip/verification unit (Fig. 4, #S106-108).

Regarding claim 7, as best understood, Gray discloses a connector (Fig. 3, #S1 & S1) connecting the interposer means/logical switch (Figs. 3A-3C) to the security chip (Fig. 2, #20).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 2-3 & 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gray, as applied to claims 1 & 14 above, in view of “Free On-Line Dictionary of Computing” by LinuxGuruz.

Regarding claims 2 & 15, Gray lacks a motherboard. However, LinuxGuruz teaches that a motherboard contains a microprocessor/processor (§motherboard). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to place the processor on a motherboard. One of ordinary skill in the art would have been motivated to perform such a modification to comply with standard personal computer practice, as taught by LinuxGuruz (§motherboard).

Regarding claims 3 & 16, Gray discloses the interposer means/logical switch and the security chip/verification unit located outside the computer (Fig. 1).

15. Claims 4-5 & 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gray in view of LinuxGuruz, as applied to claims 2 & 16 above, in further view of “Modems” by The PCGuide (PCGuide). Gray, as modified above, lacks the interposer means and the security chip

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being located separately on a separate card from the motherboard in the computer system. However, PCGuide teaches that devices that are on a separate card/board have the advantage of reduced space requirements (p. 1, §External vs. Internal). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the interposer means and security chip located on a separate card/board from the motherboard. One of ordinary skill in the art would have been motivated to perform such a modification to reduce space and cost requirements, as taught by PCGuide (p. 1, §External vs. Internal).

16. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gray, as applied to claim 1 above, in view of U.S. Patent 5,892,906 to Chou et al. (Chou). Gray lacks routing the personal identifier code/password from the input means to the user interface adapter. However, Chou teaches that a standard computer BIOS is often password protected, requiring the user to enter a password via the keyboard to complete execution of the BIOS routine(s) (col. 1, lines 54-62, col. 2, lines 41-47 & Fig. 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to route the personal identifier code/password from the input means/keyboard to the user interface adapter/I/O. One of ordinary skill in the art would have been motivated to perform such a modification to allow entry of a BIOS password to complete execution of a BIOS routine, as taught by Chou (col. 1, lines 54-62, col. 2, lines 41-47 & Fig. 1).

17. Claims 9 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gray, as applied to claims 1 & 14 above, in view of “Designing a USB Keyboard and PS/2 ® Mouse Combination Device Using the Cypress Semiconductor CY7C63413 USB Microcontroller” by Cypress Semiconductor Corporation (Cypress). Regarding claim 9, Gray discloses data signals

provided between the inputs means/keyboard and the user interface adapter/I/O (Fig. 2) and means for blocking the data signals between the input means/keyboard and the user interface adapter/I/O (Fig. 5A, #S206, for example). Gray lacks clock signals. However, Cypress teaches that in data transmission on a PS/2 port uses a clock and data signal and the clock signal is generated when the host is sending or receiving data (p. 2, §Data Transmission). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include means for blocking clock signals, in addition to the data signals, to the interface adapter/I/O. One of ordinary skill in the art would have been motivated to perform such a modification to disable the sending/receiving of data between the keyboard and computer, as taught by Cypress (p. 2, §Data Transmission).

18. Claims 12, 22 & 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gray, as applied to claims 1, 14 & 24 above, in view of "Vital signs of identity" by Miller. Gray lacks a fingerprint reader. However, Miller teaches that fingerprint recognition is appropriate for many applications and is nonintrusive, user friendly and relatively inexpensive (p. 26), using a fingerprint scanner (p. 26). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a fingerprint reader for scanning a user fingerprint to verify an authorized fingerprint as the personal identifier code. One of ordinary skill in the art would have been motivated to perform such a modification because fingerprint recognition is nonintrusive, user friendly and relatively inexpensive, as taught by Miller (p. 26).

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Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m.. The examiner can also be reached on alternate Fridays from 6:45 a.m. – 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:

(703)746-7239 (for formal communications intended for entry)

Or:

(571)273-3841 (Examiner's fax, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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November 1, 2004



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